

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 09, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRISTOPHER-DAVID COOMBES,

Plaintiff,

v.

CARRIE COOMBES et al.,

Defendants.

No. 2:22-CV-00054-SAB

**ORDER DISMISSING CLAIMS
WITH LEAVE TO AMEND**

Before the Court are a number of pending motions from Plaintiff. The Court held a status conference by telephone in the above-captioned case on May 9, 2022. Plaintiff represented himself in the matter. Defendants Mary Homer, Charleen Groomes, Ricardo Covarrubias, Cody Lunn, and Cathryn Mallett were represented by Patrick McMahon. Defendants Henry Rawson, Arissia Ward, Hank Rawson, and Christopher Culp (“the State Defendants”) were represented by Carl Warring. Defendant Victoria Minto was represented by Pamela DeVet. The remaining Defendants did not appear.

Pleading Standards

Pursuant to the Federal Rules of Civil Procedure, a pleading must include a statement affirming the court’s jurisdiction, “a short and plain statement of the claim showing the pleader is entitled to relief; and . . . a demand for the relief sought, which may include relief in the alternative or different types of relief. Fed. R. Civ. P. 8(a).

The Court has reviewed Plaintiff’s claims in this case, ECF Nos. 1, 5, 23, 27, 45, 52. At the hearing, the Court also asked Plaintiff to explain the basis for his

ORDER DISMISSING CLAIMS WITH LEAVE TO AMEND # 1

1 claims and why this Court has jurisdiction over his claims. Plaintiff was unable to
2 provide an answer to the Court and instead simply insisted that he had filed his
3 claims in a common law court of claims. Thus, the Court finds that (1) Plaintiff has
4 not alleged sufficient factual matter to support a plausible claim for relief; and (2)
5 Plaintiff has not provided a sufficient basis for establishing this Court's
6 jurisdiction.

7 **Leave to Amend**

8 Unless it is absolutely clear that amendment would be futile, a *pro se* litigant
9 must be given the opportunity to amend his complaint to correct any deficiencies.
10 *Lopez v. Smith*, 203 F.3d 1122, 1131 (9th Cir. 2000). Accordingly, Plaintiff may
11 submit an amended complaint within **forty-five (45) days** of the date of this Order
12 which includes sufficient facts to establish federal jurisdiction. Plaintiff's amended
13 complaint shall consist of a **short** and **plain** statement showing he is entitled to
14 relief. Plaintiff shall set forth his factual allegations in **separate numbered**
15 **paragraphs**.

16 Plaintiff shall present his complaint on the form provided by the Court as
17 required by LR 10.1(i), Local Rules for the Eastern District of Washington. The
18 amended complaint must be legibly rewritten or retyped in its entirety, it should be
19 an original and not a copy, it may not incorporate any part of the original
20 complaint by reference, and **IT MUST BE CLEARLY LABELED THE "FIRST**
21 **AMENDED COMPLAINT"** and the case number No. 2:22-CV-00054-SAB
22 **must be written in the caption.**

23 Accordingly, **IT IS HEREBY ORDERED:**

24 1. Plaintiff's claims in this case, ECF Nos. 1, 5, 23, 27, 45, 52, are
25 **DISMISSED with leave to amend.**

26 2. On or before **June 23, 2022**, Plaintiff shall file a First Amended
27 Complaint. **If Plaintiff fails to comply with this order, the action will be**
28 **dismissed.**

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1 3. The District Court Clerk is directed to enter a case management
2 deadline.

3 4. All of Plaintiff's pending motions, ECF Nos. 4, 46, 47, 48, 49, 59, 60,
4 69, 70, 71, 72, are **DISMISSED as moot**.

5 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to file
6 this Order and provide copies to *pro se* Plaintiff, *pro se* Defendant, and counsel.

7 **DATED** this 9th day of May 2022.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

13 Stanley A. Bastian
14 Chief United States District Judge
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